

HEALTH DEPARTMENT

The 3rd July, 1972

No. 8216-3HBI-72/20311.—In exercise of the powers conferred by section 7 of the Medical Termination of Pregnancy Act, 1971 (34 of 1971), the Governor of Haryana hereby makes the following regulations, namely:—

1. **Short title and commencement.**—These regulations may be called the Haryana Medical Termination of Pregnancy Regulations, 1972.

(2) They shall come into force from the date of issue of notification.

2. In these regulations, unless the context otherwise requires—

(a) "Act" means the Medical Termination of Pregnancy Act, 1971 (34 of 1971);

(b) "Admission Register" means the register maintained under regulation 4;

(c) "approved place" means a place approved by the State Government under the Act;

(d) "Form", means a form attached to these regulations;

(e) "hospital" means a hospital established or maintained by the State Government;

(f) "Owner", in relation to a place, means any person who is the immediate proprietor or lessee or occupier of the place or any part thereof;

(g) "State Government" means the Government of the State of Haryana.

3. **Opinion or opinions.**—How to be certified :—

(1) Where one registered medical practitioner forms, or not less than two registered medical practitioners form, such opinion as is referred to in sub-section (2) of section 3 he or they shall certify such opinion in Form A or Form B, as may be applicable, before the commencement of the termination of the pregnancy.

(2) Where, under section 5, a registered medical practitioner forms an opinion that the termination of the pregnancy of a woman, is immediately necessary to save the life of the pregnant woman, he shall certify such opinion in Form C before the commencement of the termination of the pregnancy:

Provided that where it is not reasonably practicable to certify such opinion, before the commencement of the termination of the pregnancy, the registered medical practitioner terminating the pregnancy shall certify such opinion within three hours from the termination of the pregnancy.

(3) The consent given by or in relation to a pregnant woman for the termination of her pregnancy together with the certified opinion, whether recorded under section 3 or section 5 shall be placed in an envelope, which shall be sealed by the registered medical practitioner or practitioners by whom such opinion was certified, and until that envelope is sent to the head of the hospital or the owner of the place, it shall be kept in the safe custody of the concerned medical practitioner or practitioners.

(4) On every envelope referred to in sub-regulation (3), there shall be noted the code number of the hospital or approved place, the serial number assigned to the pregnant woman in the Admission Register and the name of the registered medical practitioner or practitioners by whom the pregnancy was terminated.

(5) Every envelope referred to in sub-regulation (3) shall be placed inside a larger envelope and shall be sealed by the concerned registered medical practitioner or practitioners and shall be sent, on the same day on which the pregnancy was terminated, to the head of the hospital or the owner of the approved place where the pregnancy was terminated.

(6) On receipt of the envelope referred to in sub-regulation (5) the head of the hospital or the owner of the approved place shall send by registered post, the envelope, by the working day next following the day on which the envelope was received by him, to the Chief Medical Officer:

Provided that where the hospital or the approved place in which the pregnancy is terminated is situated in the same city or town in which the office of the Chief Medical Officer is situated, the envelope referred to in sub-regulation (5) may be sent by a special messenger.

(7) No sealed envelope referred to in sub-regulation (3) or sub-regulation (5) shall be opened except where it is necessary to do so, for a departmental or other inquiry or for investigation by the police into an offence or for the purpose of a suit or other action for damages:

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Provided that no such envelope shall be opened except on the authority of,—

- (i) in the case of a departmental or other inquiry, a Secretary to the Government of Haryana, or
- (ii) in the case of an investigation into an offence, a Magistrate of the first class, or

- (iii) in the case of a suit or other action for damages, the District Judge within the local limits of whose jurisdiction the hospital or approved place is situated.

4. Maintenance of Admission Register.—(1) Every head of a hospital and every owner of an approved place shall maintain a register in Form D for recording therein the admissions of women for the termination of their pregnancies.

(2) The entries in the Admission Register shall be made serially and a fresh serial number shall be started at the commencement of each calendar year and the serial number for a particular year shall be distinguished from the serial number of other years. mentioning the year against the serial number; for example, serial number 5 of 1972 and serial number 5 of 1973 shall be mentioned as 5, 1972 and 5, 1973.

(3) The Admission Register shall be a secret document and, save as otherwise provided in regulation 5, the informations contained therein as to the name and other particulars of the pregnant woman shall not be disclosed to any person.

5. Admission Register not to be open to inspection.—The Admission Register shall be kept in the safe custody of the head of the hospital, or owner of the approved place, as the case may be, or by any person authorised by such head or owner, and shall not be open to inspection by any person except under the authority of,—

- (i) in the case of a departmental or other inquiry, a Secretary to the Government of Haryana,

- (ii) in the case of an investigation into an offence, a Magistrate of the first class,

- (iii) in the case of a suit or other action for damages the District Judge within the local limits of whose jurisdiction the hospital or approved place is situated.

6. Entries in registers maintained in hospital or approved place not to indicate the name of the pregnant woman.—No entry shall be made in any case sheet, operation theatre register, follow-up card or any other document or register (except the Admission Register) maintained at any hospital or approved place indicating therein the name and other particulars of the pregnant woman and reference to the pregnant woman shall be made therein by the serial number assigned to such woman in the Admission Register.

7. Destruction of Admission Register.—In the absence of any order of the State Government or a Magistrate of the First Class, or a District Judge, every Admission Register shall be destroyed on the expiry of a period of five years from the date of last entry therein.

8. Intimation relating to termination of pregnancy.—(1) Every registered medical practitioner, who terminates any pregnancy shall, within seven days from such termination give an intimation, in Form E and F to the Chief Medical Officer as to such termination, indicating therein the code number of the hospital or the approved place and the serial number assigned to the pregnant woman in the Admission Register.

(2) The registered medical practitioner referred to in sub-regulation (1) shall, within one month from the termination of the pregnancy, also give intimation to the Chief Medical Officer as to the complications, if any, which have been noticed by him after the termination of the pregnancy of the concerned woman, and in case no such complication has been noticed by him or in case necessary information in relation the concerned woman is not available to him, he shall send a 'nil' report.

(3) Every intimation, whether made under sub-regulation (1) or sub-regulation (2) shall be sent in a sealed envelope and shall be marked "SECRET" and on the outer cover of the envelope the name of the registered medical practitioner and the code number of the hospital or approved place, where the pregnancy was terminated, shall be indicated.

9. Restrictions on the disclosure of intimations and information relating to termination of pregnancy.—The information contained in Form E, and the intimation given by a registered medical practitioner under sub-regulation (2) of regulation 8, shall not be disclosed to any person by the Chief Medical Officer or by any other person except under the authority of,—

- (i) in the case of a departmental or other inquiry, a Secretary to the Government of Haryana,

- (ii) in the case of an investigation into an offence, a Magistrate of the first class,

- (iii) in the case of bona fide scientific, demographic or other research, a Secretary to the Government of Haryana.

FORM A

[See sub-regulation (1) of regulation 3]

CERTIFICATE OF OPINION UNDER SECTION 3(2)(a)I,
(Name and qualifications of the registered medical practitioner in block Capitals).....
(Full address of the registered medical practitioner)

hereby certify that I am of opinion, formed in good faith that it is necessary to terminate the pregnancy of.....

.....
(Full name of the pregnant woman in block letters)

....., resident of

.....
(Full address of the pregnant woman)

of the grounds specified in items (i) to (v) below, tick the one which is applicable to the case:—

- (i) in order to prevent injury to the physical or mental health of the pregnant woman;
- (ii) in view of the substantial risk that if the child were born it would suffer from such physical or mental abnormalities as to be seriously handicapped;
- (iii) as the pregnancy is alleged by pregnant women to have been caused by rape;
- (iv) as the pregnancy has occurred as a result of failure of any contraceptive device or method used by the married woman or her husband for the purpose of limiting the number of children;
- (v) in order to prevent a risk of injury to the physical or mental health of the pregnant woman by reason of her actual/reasonably foreseeable environment.

Place.....

Signature of the
registered medical practitioner.

Date.....

Note.—For ready reference the relevant regulation is reproduced below:—

“3. (1) Where one registered Medical practitioner forms, or not less than two registered medical practitioners form, such opinion as is referred to in sub-section (2) of section 3, he or they shall certify such opinion in Form A or Form B, as may be applicable, before the commencement of the termination of the pregnancy.”

FORM B

[See sub-regulation (1) of regulation 3]

CERTIFICATE OF OPINION UNDER SECTION 3(2)(b)I,
(Name and qualifications of registered medical practitioner in the block capital).....
(Full address of the registered medical practitioner)and I,
(Name and qualification of registered medical practitioner)of
(Full address of registered medical practitioner)

hereby certify that we are of the opinion formed in good faith that it is necessary to terminate the pregnancy

.....
(Full name of pregnant woman in block capitals)

resident of

of the grounds specified in item (i) to (v) below, tick the one which is applicable to the case:—

- (i) in order to prevent injury to the physical or mental health of the pregnant woman;

- (ii) in view of the substantial risk that if the child were born it would suffer from such physical or mental abnormalities as to be seriously handicapped;
- (iii) as the pregnancy is alleged to pregnant woman to have been caused by rape;
- (iv) as the pregnancy has occurred as a result of failure of any contraceptive device or method used by married woman or by her husband for the purpose of limiting the number of children;
- (v) in order to prevent a risk of injury to the physical or mental health of the pregnant women which may arise by reason of her actual/reasonably foreseeable environment.

Place.....

Signature of the registered
medical practitioners.

Date.....

N.B.—For ready reference the relevant regulation is reproduced below:—

“3(1) Where one registered medical practitioner forms or not less than two registered medical practitioners form such opinion as is referred to in sub-section (2) of section 3, he or they shall certify such opinion in form A or Form B as may be applicable before the commencement of the termination of the pregnancy”.

FORM C

SECRET

[See sub-regulation (2) of regulation 3]

CERTIFICATE OF OPINION UNDER SECTION 5

I,
(Name and qualification of registered medical practitioner in block capital)

.....
(Full address of registered medical practitioner)

hereby certify that I am/was of the opinion formed in good faith that it is/was*immediately necessary to terminate the pregnancy of

(Full name of pregnant woman in block capitals)

of
(Full name of pregnant woman in block capitals)

in order to save the life of the pregnant woman.

This certificate of opinion is given,

before the commencement of the treatment for the termination of the pregnancy to which it relates/not later than three hours after such termination since it was not reasonably practicable before the commencement of treatment (strike out which is not appropriate).

*Delete whichever is not applicable.

Place.....

Signature of the registered medical
practitioner.

Date.....

N.B.—For ready reference the relevant regulation is reproduced below:—

“3(2) Where, under section 5, a registered medical practitioner forms an opinion that the termination of the pregnancy of a woman is immediately necessary to save the life of the pregnant woman he shall certify such opinion in Form C before the commencement of the termination of the pregnancy:

Provided that where it is not reasonably practicable to certify such opinion before the commencement of the termination of the pregnancy, the registered medical practitioner terminating shall certify such opinion within three hours from the termination of the pregnancy.”

Not to be destroyed within five years from the date of the last entry in the Register

I,
(Name and qualifications of registered medical practitioner in block capitals)

of
(Full address of registered medical practitioner)

and I,
(Name and qualifications of registered medical practitioner in block capitals)

of
(Full address of registered medical practitioner or practitioners)

hereby give intimation that I/We terminated the pregnancy if the woman who bears the serial number.....

in the Admission Register of hospital/approved place bearing the code number.....

Signature
Date

Signature
Date

N.B.—For ready reference relevant regulation is reproduced below :—

“8(1) Every registered medical practitioner, who terminates any pregnancy shall, within seven days from such termination, give intimation, in Form E and F, to the Chief Medical Officer as to such termination, indicating therein the code number of the hospital or the approved place and the serial number assigned to the pregnant woman in the Admission Register”.

FORM F

[See sub-regulation (1) of regulation 8]

Code No. _____

1. Government/Non-Governmental	..				
2. Residence of the patient	Urban	..			
	Rural	..			
3. Age of patient	..				
4. Total monthly income of the family of the patient	..				
5. Education of patient	..	0	1—5	6—8	9—11 University
6. Education of husband	..	0	1—5	6—8	9—11 University
7. Occupation of :—	..	a) Patient			
		(b) Husband			
8. Religion:—	..	Hindu			
		Muslim			
		Christian			
		Others (Specify)			
9. Marital status:—	1. Single.	2. Married.	3. Widowed.	4. Divorced or separated.	
10. Date of last menstrual period	..				
11. Previous pregnancies	..	Live births	Male	Female	
		Still births	Male	Female	
		Abortions	Induced	Spontaneous	
12. Date of last termination of pregnancy under the Act	..				
13. Number of existing children	..	Male		Female	
14. Last contraceptive method used : (in case of termination due to failure of any device or method)					
1. Tubal Ligation	2. Vasectomy	3. IUCD.	4. Conventional Contraceptives	5. Others	
15. Date of admission to place of termination	..				
16. Date of discharge from place of termination	..				
17. Estimated duration of pregnancy (in weeks)	..				
18. Grounds on which pregnancy has been terminated:—					

of the grounds specified in items (i) to (vii) below tick the one which is applicable to the case.

- (i) danger to the life of the pregnant woman.
- (ii) grave injury to the physical health of the pregnant woman.
- (iii) grave injury to mental health of the pregnant woman.

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- (iv) pregnancy caused by rape.
- (v) Substantial risk that if the child were born it would suffer from such physical or mental abnormalities as to be seriously handicapped.
- (vi) failure of any device or method used by the married woman or her husband for the purpose of limiting the number of children.
- (vi) risk to the health of the pregnant woman by reason of her actual or reasonably foreseeable environment.
19. Type of termination:
1. Dilatation and evacuation ..
 2. Vacuum aspiration ..
 3. Hysterotomy—
 - (a) abdominal (b) vaginal
 4. Hystorectomy ..
 5. Others (Specify) ..
20. Time taken for operation ..
21. Anaesthetic Non General Local Regional Analgesia Others. ..
22. Complications—
1. Shock
 2. Haem
 3. Cardiac Arrest
 4. Anesthetic complications
 5. Uterine perforation
 6. Cervical tear
 7. Retained products
 8. Death
 9. Other (specify)
23. In case of death, specify the cause of death and the time which elapsed between the operation and the death.
24. Contraceptive advice given.
- | | | |
|--------------------------------|--------------|-----------|
| 1. Tubal Ligation | 2. Vasectomy | 3. IUCD |
| 4. Conventional contraceptives | 5. None | 6. Others |

Signature/Signatures of registered medical
practitioners/practitioner.

N.B.—For ready reference the relevant rule is reproduced below:—

“8(1) Every registered medical practitioner, who terminates any pregnancy shall within seven days from such termination, give an intimation in Forms E & F to the Chief Medical Officer as to such termination, indicating therein the code number of the hospital or the approved place and the serial number assigned to the pregnant woman in the Admission Register.”

B. L. AHUJA, Commissioner and Secy.

REHABILITATION DEPARTMENT

The 1st July, 1972

No. 1(23) 8116/Admn.—In exercise of the powers under section 13(1) of the Evacuee Interest (Separation) Act, 1951 and all other powers enabling him in this behalf, the Governor of Haryana, with the approval of the Central Government, is pleased to appoint all the District and Sessions Judges in the State of Haryana as Appellate Officers with immediate effect for the purpose of hearing appeals against the orders of the Competent Officer for the State of Haryana under the said Act.

2. Each such Appellate Officer shall have jurisdiction in this respect over such areas which fall within his jurisdiction as District and Sessions Judge.

D. D. SHARMA, Secy.
Secretary to Government, Haryana,
Rehabilitation Department.